

1 THE HONORABLE TANA LIN  
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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

9 BEHAILU YOHANES KELEMEWORK,  
10 Plaintiff,  
11 v.  
12 YASSER O. NAVARRETE, *et al.*,  
13 Defendants.

Case No. 2:24-cv-00236-TL  
STIPULATED MOTION TO HOLD  
CASE IN ABEYANCE AND  
[PROPOSED] ORDER

Noted for Consideration:  
April 23, 2024

15 Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal  
16 Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and  
17 move to hold this case in abeyance until September 19, 2024. Plaintiff brought this litigation  
18 pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel  
19 the U.S. Citizenship and Immigration Services (“USCIS”) adjudicate his Form I-589,  
20 Application for Asylum and for Withholding of Removal. Defendants’ response to the  
21 Complaint is currently due on May 3, 2024. The parties are currently working towards a  
22 resolution to this litigation. For good cause, the parties request that the Court hold the case in  
23 abeyance until September 19, 2024.

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STIPULATED MOTION FOR ABEYANCE  
[Case No. 2:24-cv-00236-TL] - 1

UNITED STATES ATTORNEY  
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1 Courts have “broad discretion” to stay proceedings. Clinton v. Jones, 520 U.S. 681, 706  
2 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to  
3 control the disposition of the causes on its docket with economy of time and effort for itself,  
4 for counsel, and for litigants.” Landis v. N. Am. Co., 299 U.S. 248, 254 (1936); see also Fed.  
5 R. Civ. P. 1.

6 With additional time, this case may be resolved without the need of further judicial  
7 intervention. USCIS has scheduled Plaintiff’s asylum interview for May 22, 2024. USCIS  
8 agrees to diligently work towards completing the adjudication within 120 days of the  
9 interview, absent unforeseen or exceptional circumstances that would require additional time  
10 for adjudication. If the adjudication is not completed within that time, USCIS will provide a  
11 status report to the Court. Plaintiff will submit all supplemental documents and evidence, if  
12 any, to USCIS seven to ten days prior to the interview date. Plaintiff recognizes that failure to  
13 submit documents prior to the interview may require the interview to be rescheduled and the  
14 adjudication delayed. If needed, Plaintiff will bring an interpreter to the interview, otherwise  
15 the interview will need to be rescheduled and the adjudication delayed. After the interview,  
16 USCIS will need time to adjudicate Plaintiff’s asylum application. Once the application is  
17 adjudicated, Plaintiff will dismiss the case with each party to bear their own litigation costs  
18 and attorneys’ fees. Accordingly, the parties request this abeyance to allow USCIS to conduct  
19 Plaintiff’s asylum interview and then process his asylum application.

20 As additional time is necessary for this to occur, the parties request that the Court hold the  
21 case in abeyance until September 19, 2024. The parties will submit a joint status report on or  
22 before September 19, 2024.

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1 DATED this 23rd day of April, 2024.

2 Respectfully submitted,

3 TESSA M. GORMAN  
United States Attorney

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10 Attorneys for Defendants

Attorney for Plaintiff

11 ***I certify that this memorandum contains 414  
words, in compliance with the Local Civil  
Rules.***

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## **[PROPOSED] ORDER**

2 The case is held in abeyance until September 19, 2024. The parties shall submit a joint  
3 status report on or before September 19, 2024. It is so **ORDERED**.

DATED this 1st day of May, 2024.

  
TANA LIN  
United States District Judge